

## REMARKS

Claims 1-10 are pending in this application. In the Office Action, the Examiner rejected the claims as follows. Claims 1-2 and 6-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,615,026 (Wong) in view of U.S. Patent No. 5,554,996 (Chatzipetros). Claims 3-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wong in view of Chatzipetros and further in view of U.S. Patent No. 5,572,223 (Phillips).

Regarding the Examiner's rejection of independent Claims 1, 6 and 10 under 35 U.S.C. §103(a), the Examiner states that Wong teaches "wherein the magnitude of electromagnetic radiation emitted from the peak current distribution point in the vicinity of the terminal body is minimized so that the pattern of the emitted electromagnetic waveform adjacent to the terminal is reshaped in such a way so as to reduce the influence of electromagnetic waves upon a user's head." It is believed that the Examiner is incorrect. Upon reviewing the cited references, it is clear that this recitation is neither taught nor suggested by Wong or Chatzipetros or the combination thereof.

Chatzipetros teaches a diversity handset used in a personal communications system which includes a flap, a first antenna, and a second antenna.

Wong teaches "[a]n improved *method of shielding* the user of a portable telephone from the energy radiated by the transmission antenna," and further teaches "[i]n one

embodiment, the telephone employs an internal transmission antenna, a metallic surface interposed between the antenna and the user's head. The metallic surface is *spaced apart* from the radiating element of the transmission antenna by one-quarter wavelength of the effective wavelength, so as to maximize the *reflection of energy* away from the user's head." (Column 2, Lines 6-20; emphasis added.) Wong further teaches "[m]etallic surface 14 *reflects* energy radiated by antenna 12 away from the user's head." (Column 2, Lines 56-57; emphasis added), as well as "the objective being *to disperse the reflected radiation* as widely as possible." (Column 3, Lines 37-38; emphasis added.)

Furthermore, regarding the Examiner's reference to the "arrowed x" in Fig. 1 as being the peak radiation from antenna 12 in Fig. 1, it is clear that Wong uses the x's and the associated arrows in FIG. 1 as a reference for later cross-sectional views which are illustrated in FIGs. 2, 3 and 4. (See Col. 2, lines 25-30.) Wong does not teach or suggest "a peak current distribution point."


Unlike Wong, Claims 1, 6, and 10 recite "wherein the magnitude of electromagnetic radiation emitted from the *peak current distribution point* in the vicinity of the terminal body is *minimized* so that the pattern of the emitted electromagnetic waveform adjacent to the terminal is reshaped in such a way so as to reduce the influence of electromagnetic waves upon a user's head." This recitation is neither taught nor suggested by Wong or Chatzipetros or the combination thereof. Moreover, neither Wong nor Chatzipetros teaches or suggests minimizing the radiation emitted from the peak current distribution point.

Accordingly, it is respectfully requested that the Examiner withdraw the rejection of Claims 1, 6 and 10 under 35 U.S.C. §103(a).

Independent Claims 1, 6 and 10 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-5 and 7-9, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-5 and 7-9 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-10, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant

**DILWORTH & BARRESE, LLP**  
333 Earle Ovington Blvd.  
Uniondale, New York 11553  
Tel: (516) 228-8484  
Fax: (516) 228-8516